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FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JUN 29 2010

JAMES R. LARSEN, CLERK  
DEPUTY  
SPOKANE, WASHINGTON

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WASHINGTON**

SHARON A. BRIDGE SUMNER,

Plaintiff,

v.

ANDREW S. ASDELL, Tax  
Compliance Officer; MAXIMILLIAN  
EDWARDS, Revenue Officer;  
MARGE KENT, Revenue Officer; and  
THE UNITED STATES OF  
AMERICA;

Defendants.

No. CV-10-207-EFS

PLAINTIFF'S  
MOTION FOR  
TEMPORARY  
RESTRAINING  
ORDER

Plaintiff, pursuant to Fed.R.Civ.P 65(b), by her attorney,  
moves this Court for an Order restraining Defendants and each  
of them from levying and continuing to levy on her wages and  
further to restrain and enjoin Defendants from levying upon or

Motion for Temporary Restraining Order - 1

ROBERT E. KOVACEVICH, P.L.L.C.  
A PROFESSIONAL LIMITED LIABILITY COMPANY  
818 WEST RIVERSIDE  
SUITE 525  
SPOKANE, WASHINGTON 99201-0995  
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1 selling any other property belonging to Plaintiff for a period  
2 ending ten days from the date of said Order. This motion also  
3 seeks an order to Defendants and each of them to appear within  
4 ten days of the date of said order there to show cause why a  
5 preliminary injunction enjoining Defendants from levying upon  
6 Plaintiff's wages or any other property of Plaintiff should not be  
7 issued.  
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11 Plaintiff's salary at CSL Plasma was levied on by  
12 Defendants on June 16, 2010, in an effort to make Plaintiff's  
13 husband cooperate and pay taxes that Plaintiff does not owe.  
14 This action is timely brought within the nine month period of 26  
15 U.S.C. § 6532(c)(1). Plaintiff's affidavit filed herein establishes  
16 the facts that she is not the taxpayer that owes Defendants and  
17 is current on all tax obligations owed by her. The Affidavit also  
18 proves that Plaintiff has a separate property agreement with her  
19 husband.  
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24 This motion is supported by the Complaint verified by  
25 Plaintiff. It is further supported by the Affidavit of Plaintiff and  
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28 Motion for Temporary Restraining Order - 2

1 the Memorandum of Authorities filed herein.

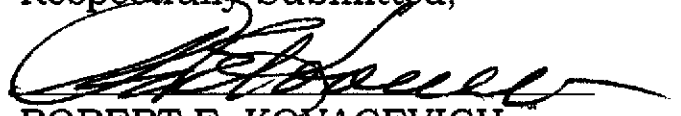
2  
3 Immediate and irreparable injury will continue to result to  
4 the Plaintiff if the IRS levies on Plaintiff's salary is continued.  
5  
6 The reasons are that the actions of the Defendants will cause  
7 unconstitutional deprivation of notice, opportunity to defend and  
8 loss of superior rights to Plaintiff's earnings. Defendant has  
9 levied without adjudication, prior right to notice and opportunity  
10 to defend and without adjudication of nominee, alter ego or  
11 transferee liability. A levy under these circumstances violates  
12 the fundamental constitutional protection of due process.  
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16 Informal notice was given on June 25 and 28, 2010, to  
17 Defendant Marge Kent, a representative of all Defendants and  
18 also was delivered to the U.S. attorney's office in Spokane,  
19 Washington.  
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28 Motion for Temporary Restraining Order - 3

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2 DATED this 29<sup>th</sup> day of June, 2010.

3 Respectfully Submitted,

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5 ROBERT E. KOVACEVICH

6 Attorney for Petitioner

7 818 West Riverside, Suite 525

8 Spokane, WA 99201

9 Tax Court No. KR0460

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28 Motion for Temporary Restraining Order - 4